IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 7271 of 1996

Between:

S. Venkateswara Rao S/o Tataaih
R/o Perikigudem, Mandavalli (M),
Krishna Dist.

..... PETITIONER

AND

1 The General Manager, Krishna District Co-operative Central Bank, Machilipatnam
2 The Deputy Registrar Co-operative Societies, Gudivada, Krishna Dist.
3 The P.A.C.S., Mandavalli rep. by President Mandavalli, Krishna Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction, more especially one in the nature of writ of Mandamus declaring the order of the 1st Respondent in PS No.71/96-A2 dt: 29-3-96 as wholly illegal, arbitrary and without jurisdiction.

Counsel for the Petitioner: MR.P.SRI RAGHU RAM

Counsel for the Respondent No.1: MR.B.ADINARAYANA RAO

Counsel for the Respondent No.2: G.P. for Cooperation

Counsel for the Respondent No.3: None appeared

The Court made the following:

ORDER:

Heard both sides.

The petitioner, who has been working as a Paid Secretary with the third respondent herein, seeks to assail the impugned order dated 29.03.1996, whereunder he was asked to handover the charge.

The said order specifically referred to the orders dated 09.03.1996 and in the body also, it is referred that the petitioner was dismissed. As against such orders of dismissal, the petitioner has got an alternative remedy of appeal both in-house appeal and also an appeal as provided under the provisions of the Andhra Pradesh Shops and Establishments Act. Hence, I do not find any justifiable reason to entertain the writ petition.

Accordingly, the writ petition is dismissed granting leave and liberty to the petitioner to file an appeal within a period of eight weeks from today. If any such appeal is filed, the same shall be entertained without raising any objection in regard to limitation and shall be disposed of on merits. No costs.

01.12.2004

Note: Furnish CC in three days

(b/o)

VGB

To

1 The General Manager, Krishna District Co-operative Central Bank,
Machilipatnam
2 The Deputy Registrar Co-operative Societies,
Gudivada, Krishna Dist.
3 The President, P.A.C.S.,
Mandavalli, Krishna Dist.

4 2CD copies

5 2 CCs to the G.P. for Cooperation, High Court of A.P., Hyderabad (OUT).